

Exhibit 1

Court:
Judge:
Case Type:
Style:

Case 1:25-cv-00356
Amy L. Mann
Civil
Michael Barnhill v. Mountain Valley Pipeline, LLC

Document 1-1
Created Date:
Case Sub-Type:

4/29/2025
Other

Filed 05/30/25
Case Number:
Status:
Security Level:

Page 2 of 15
PageID #: 8
CC-32-2025-C-21
Open
Public

	Entered Date	Event	Ref. Code	Description
1	4/29/2025 11:45:36 AM	E-Filed		Complaint
2	4/29/2025 11:45:36 AM	Judge Assigned	J-45008	Amy L. Mann
3	4/29/2025 11:45:36 AM	Party Added	P-001	Michael Barnhill
4	4/29/2025 11:45:36 AM	Party Added	D-001	Mountain Valley Pipeline, LLC
5	4/29/2025 11:45:36 AM	Party Added	D-002	Equitrans Midstream Corporation
6	4/29/2025 11:45:36 AM	Party Added	D-003	EQT Corporation
7	4/29/2025 11:45:36 AM	Attorney Listed	P-001	A-12014 - John-Mark Atkinson
8	4/29/2025 11:45:36 AM	Service Requested	D-001	Filer - Secretary of State
9	4/29/2025 11:45:36 AM	Service Requested	D-002	Filer - Secretary of State
10	4/29/2025 11:45:36 AM	Service Requested	D-003	Filer - Secretary of State
11	5/9/2025 3:02:13 PM	E-Docketed		Supporting Documents - Receipt of Summons from Secretary of State
12	5/9/2025 3:04:31 PM	E-Docketed		Supporting Documents - Receipt of Summons from Secretary of State
13	5/12/2025 2:43:33 PM	E-Docketed		Supporting Documents - Receipt of Summons from Secretary of State

IN THE CIRCUIT COURT OF MONROE COUNTY, WEST VIRGINIA

MICHAEL BARNHILL,

Plaintiff,

v.

CIVIL ACTION NO:

MOUNTAIN VALLEY PIPELINE, LLC,
a Pennsylvania limited liability company;
EQUITRANS MIDSTREAM CORPORATION,
a Pennsylvania corporation; and
EQT CORPORATION, a Pennsylvania corporation,

Defendants.

COMPLAINT

Now comes Plaintiff, Michael Barnhill, by counsel, John-Mark Atkinson, and for his Complaint states as follows:

1. Plaintiff, Michael Barnhill (“Plaintiff” or “Mr. Barnhill”) brings this action against Mountain Valley Pipeline, LLC, Equitrans Midstream Corporation, and EQT Corporation (collectively “Defendants”) for their discriminatory and/or retaliatory actions against him in violation of *Harless v. First National Bank in Fairmont*, 246 S.E.2d 270 (W. Va. 1978).

PARTIES

2. Mr. Barnhill is a resident of Hardin County, Texas.
3. Mountain Valley Pipeline, LLC is a Pennsylvania limited liability company that transacts and does business in Monroe County, West Virginia.
4. Equitrans Midstream Corporation is a Pennsylvania corporation that transacts and does business in Monroe County, West Virginia.

5. EQT Corporation is a Pennsylvania corporation that transacts and does business in Monroe County, West Virginia.

FACTS

6. Mr. Barnhill was hired by Mountain Valley Pipeline, LLC as a welding inspector beginning in August 2023.

7. Mountain Valley Pipeline, LLC owns the Mountain Valley Pipeline project (“MVP”), a natural gas pipeline spanning approximately 303 miles across West Virginia and Virginia.

8. EQT Corporation was the original lead developer of the Mountain Valley Pipeline project. In 2024, EQT Corporation acquired Equitrans Midstream Corporation.

9. Equitrans Midstream Corporation is the primary interest owner of Mountain Valley Pipeline, LLC.

10. Equitrans Midstream Corporation was acquired by EQT Corporation, the lead developer of the Mountain Valley Pipeline project, in July 2024.

11. As a welding inspector, Mr. Barnhill was tasked with inspecting welds on the pipeline as they occurred and ensuring that pipeline joints followed project and federal regulations.

12. Mr. Barnhill consistently performed his job duties in a satisfactory manner and met Defendants’ reasonable expectations.

Mr. Barnhill Discovers Corrosion in Three Separate Pipeline Joints

13. On November 15, 2023, Mr. Barnhill discovered corrosion in three separate sections of pipeline joints.

14. The corrosion identified by Mr. Barnhill was of sufficient significance to bring these sections of pipeline out of compliance with construction specifications and federal regulations.

15. Mr. Barnhill contacted his supervisor, David Mitchell, regarding the pipes' condition.

16. David Mitchell was the Lead Welding Inspector for MVP.

17. Mr. Barnhill and Mr. Mitchell spoke by phone about the deficient condition of the pipeline joints on November 15, 2023.

18. James Therien, a welding inspector for MVP, joined the phone call between Mr. Barnhill and Mr. Mitchell.

19. Mr. Mitchell agreed with Mr. Barnhill that the corroded joints were out of compliance.

20. Despite the deficient condition of the pipeline joints, Mr. Mitchell stated during the call that David Bowers, MVP's chief inspector, directed the joints to be installed.

21. Mr. Mitchell quoted Mr. Bowers as saying, "If you want to keep your job, just install [the joints]."

22. Defendants refused to give Mr. Barnhill written confirmation to approve the installation of the corroded joints.

23. Mr. Barnhill refused to approve the corroded joints and refused to create falsified inspection reports regarding the joints.

Defendants Remove Mr. Barnhill and Replace Him with Another Welding Inspector

24. On November 16, 2023, because he refused to approve the welding of the corroded joints, Mr. Barnhill was moved to a different section of the pipeline and replaced with a less experienced welding inspector.

25. The corroded joints were later approved and welded into the pipeline.

26. Mr. Barnhill later became aware that the corroded joints were used in the pipeline despite being out of compliance with Federal regulations.

27. Mr. Barnhill reported the welding of the three corroded pipe joints to the Pipeline and Hazardous Materials Safety Administration ("PHMSA").

**Defendants Terminate Mr. Barnhill's Employment
After He Reports Illegal Welding for the Second Time**

28. On December 5, 2023, Mr. Barnhill discovered a weld on the pipeline that was made without an inspector present.

29. MVP's construction specifications require an inspector to be present for all welds on the pipeline.

30. Because federal regulations for pipeline construction encompass MVP's construction specifications, any pipeline weld performed without an inspector present is out of compliance with federal regulations.

31. Without welding in compliance with stringent heat controls, a gas pipeline is subject to cracking and weld failure.

32. Mr. Barnhill contacted his supervisors to inform them about the illegal welding.

33. Mr. Barnhill's supervisors, Mr. Mitchell and Mr. Bowers, initially agreed that the illegal weld was unacceptable and would need to be cut out.

34. Mr. Barnhill wrote in his inspection report that he did not accept the weld made without the presence of an inspector.

35. On December 6, 2023, Mr. Mitchell and Mr. Barnhill spoke by phone.

36. Mr. Barnhill stated to Mr. Mitchell, “As it stands, the weld is not acceptable. I see no manner in which I can sign off on that weld.”

37. Mr. Mitchell stated to Mr. Barnhill, “The only thing you can do is visually inspect it and say yes, it was visually acceptable and, in your notes, that they started it beforehand, and it wasn’t acceptable to the procedure.”

38. Mr. Barnhill responded that “I wanted to make sure you were aware. . . . [my] stance is made and I’m not backing off of that stance.”

39. Mr. Mitchell supported Mr. Barnhill in his decision not to approve the weld.

40. Mr. Barnhill asked for written confirmation from MVP’s welding engineers that he should approve the weld.

41. Mr. Mitchell responded that MVP’s engineers would not send written confirmation of the weld.

42. Mr. Mitchell further instructed Mr. Barnhill to amend his report to conceal the illegality of the weld performed without an inspector.

43. Later on December 6, 2023, Mr. Bowers called Mr. Barnhill to confront him about his refusal to amend the report.

44. Because Mr. Barnhill was not present to observe the weld being performed, Mr. Bowers directed Mr. Barnhill to ask the welders whether they preheated the pipe and simply document their response.

45. Mr. Barnhill responded that he could not document the pipe as being preheated when he had not observed it.

46. Mr. Bowers then yelled, "Michael, stop fucking arguing. I'm gonna send your report back to you. Are you willing to do what we are asking you to do?"

47. In asking Mr. Barnhill to document whether the welders said that they preheated the weld, Defendants intended to hide the illegal weld from PHMSA.

48. Mr. Barnhill amended his report but still stated that the weld was "unacceptable."

49. On December 7, 2023, Mr. Barnhill reported the illegal weld to PHMSA Eastern Region Director Joe Klesin via email.

50. In the email, Mr. Barnhill wrote, "Starting a welding process, without an inspector on site, to ensure compliance is completely unacceptable. ... Further more, I was directed by Chief Damon Bowers and Project Manager John Z, to document hearsay by the welders, in which the welders were asked if they preheated the weld. I can arrive at no logical conclusion for the explicitly required directive to document that hearsay, other than as an attempt by [Chief] Damon Bowers and P[roject] Manager John Z[.], to hide the use of an illegal weld."

51. On December 7, 2023, Mr. Barnhill had a conference call with Defendants' leadership.

52. During the call, Defendants' project manager stated, "In your report, the part that is disconcerting to me, is that you continue to document that the weld is unacceptable and I'm sure you can appreciate what a problem that would cause if this document was audited."

53. Mr. Barnhill responded, "There's an hour and a half there including the preheat aspect of the procedure that I cannot ensure that the welding was performed in accordance with the welding procedure, so my report that I have filled out is correct and proper."

54. Defendants' project manager stated that MVP would cut the section of the weld out the next day and requested that Mr. Barnhill be onsite to witness the removal and inspect the replacement weld.

55. On December 8, 2023, Defendants cut out the illegal weld and replaced it with a weld inspected and approved by Mr. Barnhill.

56. Later on December 8, 2023, Defendants willfully, maliciously, and unlawfully terminated Mr. Barnhill's employment.

FIRST CAUSE OF ACTION

57. Defendants' termination of Mr. Barnhill's employment constituted an unlawful retaliatory discharge motivated by issues in violation of the substantial public policy of the State of West Virginia as articulated in *Harless v. First National Bank in Fairmont*, 246 S.E.2d 270 (W. Va. 1978), in that Mr. Barnhill was terminated, in whole or in part, for raising concerns with and making complaints to Defendants related to safety issues including improperly welded pipelines and quality of pipes as well as other PHMSA regulations.

58. As a direct and proximate result of the aforesaid actions, Mr. Barnhill has suffered, and will continue to suffer, lost wages and benefits in an amount to be proven at trial.

59. As a direct and proximate result of Defendants' actions, Mr. Barnhill is entitled to damages for indignity, embarrassment, humiliation, annoyance, and inconvenience in an amount to be determined by the jury.

60. Defendants' actions were willful, wanton and/or undertaken with reckless disregard and/or reckless indifference to Mr. Barnhill's rights, entitling Mr. Barnhill to punitive damages in an amount to be determined by the jury.

61. Defendants' actions were willful and malicious, entitling Mr. Barnhill to attorney fees and costs.

PRAYER FOR RELIEF

WHEREFORE, the plaintiff, Michael Barnhill, prays for the following relief:

1. Damages set forth in this Complaint, including lost wages and benefits, back pay, front pay, damages for indignity, embarrassment, humiliation, annoyance, and inconvenience and punitive damages in an amount to be determined by the jury;
2. Prejudgment interest as provided by law;
3. Attorney fees and costs; and
4. Such further relief as this court may deem just and equitable.

PLAINTIFF DEMANDS A JURY TRIAL ON ALL ISSUES TRIABLE TO A JURY.

MICHAEL BARNHILL
By Counsel

/s/ John-Mark Atkinson
John-Mark Atkinson (WVSB #12014)
Natalie R. Atkinson (WVSB #12030)
ATKINSON & FRAMPTON, PLLC
2306 Kanawha Blvd E
Charleston, WV 25311
(304) 346-5100
johnmark@amplaw.com
natkinson@amplaw.com

SUMMONS

E-FILED | 4/29/2025 11:45 AM
CC-32-2025-C-21
Monroe County Circuit Clerk
Daniel Tickle

IN THE CIRCUIT COURT OF MONROE COUNTY, WEST VIRGINIA

Michael Barnhill v. Mountain Valley Pipeline, LLC

Service Type: Filer - Secretary of State

NOTICE TO: Mountain Valley Pipeline, LLC, CT Corporation System, 5098 Washington St. W, Suite 407, Charleston, WV 25313
THE COMPLAINT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS. YOU OR YOUR ATTORNEY ARE REQUIRED TO FILE THE ORIGINAL OF YOUR WRITTEN ANSWER, EITHER ADMITTING OR DENYING EACH ALLEGATION IN THE COMPLAINT WITH THE CLERK OF THIS COURT. A COPY OF YOUR ANSWER MUST BE MAILED OR HAND DELIVERED BY YOU OR YOUR ATTORNEY TO THE OPPOSING PARTY'S ATTORNEY:

John-Mark Atkinson, 2306 KANAWHA BLVD E, , CHARLESTON, WV 25311

THE ANSWER MUST BE MAILED WITHIN 30 DAYS AFTER THIS SUMMONS AND COMPLAINT WERE DELIVERED TO YOU OR A JUDGMENT BY DEFAULT MAY BE ENTERED AGAINST YOU FOR THE MONEY OR OTHER THINGS DEMANDED IN THE COMPLAINT.

SERVICE:

4/29/2025 11:45:31 AM

Date

/s/ Daniel Tickle

Clerk

RETURN ON SERVICE:

☐ Return receipt of certified mail received in this office on _____

☐ I certify that I personally delivered a copy of the Summons and Complaint to _____

☐ I certify that I personally delivered a copy of the Summons and Complaint to the individual's dwelling or usual place of abode to _____, someone who is eighteen (18) years of age or above and resides there.

☐ Not Found in Bailiwick

Date

Server's Signature

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IN THE CIRCUIT COURT OF MONROE COUNTY, WEST VIRGINIA

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IN THE CIRCUIT COURT OF MONROE COUNTY, WEST VIRGINIA

Michael Barnhill v. Mountain Valley Pipeline, LLC

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NOTICE TO: EQT Corporation, CT Corporation System, 5098 Washington St. W, Suite 407, Charleston, WV 25313

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 Monroe County Circuit Clerk
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COVER SHEET**GENERAL INFORMATION**

IN THE CIRCUIT COURT OF MONROE COUNTY WEST VIRGINIA

Michael Barnhill v. Mountain Valley Pipeline, LLC**First Plaintiff:**

☐ Business ☒ Individual
☐ Government ☐ Other

First Defendant:

☒ Business ☐ Individual
☐ Government ☐ Other

Judge:

Amy L. Mann

COMPLAINT INFORMATION**Case Type:** Civil**Complaint Type:** Other**Origin:**

☒ Initial Filing ☐ Appeal from Municipal Court ☐ Appeal from Magistrate Court

Jury Trial Requested:☒ Yes ☐ No**Case will be ready for trial by:** 4/29/2026**Mediation Requested:**☒ Yes ☐ No**Substantial Hardship Requested:**☐ Yes ☒ No

☐ Do you or any of your clients or witnesses in this case require special accommodations due to a disability?

- ☐ Wheelchair accessible hearing room and other facilities
☐ Interpreter or other auxiliary aid for the hearing impaired
☐ Reader or other auxiliary aid for the visually impaired
☐ Spokesperson or other auxiliary aid for the speech impaired
☐ Other: _____

☐ I am proceeding without an attorney

☒ I have an attorney: John-Mark Atkinson, 2306 KANAWHA BLVD E , CHARLESTON, WV 25311

SERVED PARTIES

Name: Mountain Valley Pipeline, LLC
Address: CT Corporation System 5098 Washington St. W, Suite 407, Charleston WV 25313
Days to Answer: 30 **Type of Service:** Filer - Secretary of State

Name: Equitrans Midstream Corporation
Address: CT Corporation System 5098 Washington St. W, Suite 407, Charleston WV 25313
Days to Answer: 30 **Type of Service:** Filer - Secretary of State

Name: EQT Corporation
Address: CT Corporation System 5098 Washington St. W, Suite 407, Charleston WV 25313
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